

Service Appeal No.1086/2022 titled "Luqman Khan Yousafzai Vs.
Government of Khyber Pakhtunkhwa"

ORDER

29th July. 2024

Kalim Arshad Khan, Chairman: Learned counsel for the appellant and Mr. Muhammad Jan, District Attorney for the respondents present.

2. Brief facts of the case, as per averments of the appeal, are that he was appointed as Naib Qasid in the office of respondent No.1 vide order dated 07.09.2017; that due to threats, he could not attend the office and an inquiry was conducted by the respondent department; that vide impugned order dated 22.12.2021, appellant was removed from service.

3. Feeling aggrieved of the impugned order dated 22.12.2021, the appellant filed departmental appeal on 19.01.2022, which was not responded, hence, the instant service appeal.

4. Arguments heard. Record perused.

5. From the record, it is evident that in compliance with the provisions of Rule-9 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, on absence of the appellant, two notices were issued at his residential address through registered post. Copy of the postal receipt of the registered post were produced by the learned District Attorney, where-after, notices were published in two dailies. One in the Daily "Express", Peshawar on 4th

December, 2021 and other in Daily "Aaj" Peshawar on 3rd November, 2021 but the appellant did not respond.

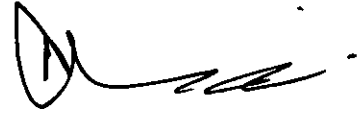
6. The respondents/department has proceeded in accordance with law and we see no illegality in the departmental proceedings as well as the impugned order warranting interference of the Tribunal.

7. In view of the above, instant service appeal, being devoid of merits, is dismissed with costs. Consign.

8. *Pronounced in open Court at Peshawar given under our hands and seal of the Tribunal on this 29th day of July, 2024.*



(Rashida Bano)
Member (J)



(Kalim Arshad Khan)
Chairman

*Mutazem Shah *